

## **KENTUCKY REAL ESTATE APPRAISERS BOARD**

### **TYPE OF MEETING**

Regular Meeting

### **DATE AND LOCATION**

July 24, 2009 – Board Office

### **PRESIDING OFFICER**

Dorsey Hall, Chair

### **ROLL CALL**

Present:

Dorsey Hall, Chair  
Paul Moore, Vice Chair  
Loren Huff, Board Member  
Sam E. Blackburn, Board Member  
G. Herbert Pritchett, Board Member

Present Also:

Larry Disney, Executive Director  
Angie Thomas, Staff Assistant  
James Grawe, Board Counsel  
Dennis Badger, Investigator

Chair, Dorsey Hall opened the meeting and welcomed the guest. A motion by Paul Moore, second by Sam Blackburn and the Board unanimously approved the June 12, 2009 minutes.

### **EDUCATION**

Motion by Sam Blackburn, second by Loren Huff and the Board unanimously agreed to approve the following education courses for fiscal year 2009-10:

- A. The Columbia Institute – Renewal
  - (1) National USPAP Update (Online) – 7 hours CE
- B. Van Education Center – New and Renewal Courses
  - (1) Residential Site Valuation and Cost Approach (Online) – 15 hours QE (New)
  - (2) Basic Appraisal Principles (Online) – 30 hours QE (Renewal)
  - (3) Basic Appraisal Procedures (Online) – 30 hours QE (Renewal)
  - (4) National USPAP Course (Online) – 15 hours QE (Renewal)
  - (5) Residential Report Writing & Case Studies – 15 hours QE (Renewal)
  - (6) Uniform Residential Appraisal Report (URAR) – 8 hours CE (Renewal)

(7) Residential Environmental Hazards Screening – 8 hours CE (Renewal)

C. McKissock, LP – New Course

(1) Fannie Mae Form 1004MC, HVCC, and More (Virtual Classroom) – 7 hours CE

D. Worldwide ERC – Renewal

(1) The Relocation Appraisal Training Program (Internet) – 6 hours CE

E. U.S. Department of Housing and Urban Development – New Course

(1) FHA Basics for Appraisers (Internet) – 4 hours CE

F. Appraisal Institute – New Course

(1) The Discounted Cash Flow Model: Concepts, Issues & Applications – 7 hours CE

G. Just Valuation Inc. (JVI) – Renewal

(1) Appraising REO Properties – 7 hours CE

H. Wilson Educational Group – New

(1) Residential Site Valuation and Cost Approach – 16 hours QE

I. Mortgage Bankers Association of Kentucky – New

(1) KY MBA Education Conference – 7 hours CE

Motion by Sam Blackburn, second by Herbert Pritchett and the Board unanimously agreed to reject the course applications for the following education courses. The rejection was based on insufficient information as well as no instructor information was not submitted with course application.

J. A Pass Weikel - New

(1) Environmental Law – 4 hours CE

(2) Construction and Inspection – 3 hours CE

(3) National USPAP Update – 7 hours CE

(4) Basic Appraisal Procedures – 30 hours QE

(5) Basic Appraisal Principles – 30 hours QE

(6) Basic Income – 15 hours QE

(7) Residential Market Analysis & Highest and Best Use – 15 hours QE

(8) National USPAP Course – 15 hours QE

(9) Using Residential Appraisal Report Forms - QE

## **EXPERIENCE**

Motion by Loren Huff, second by Paul Moore and the Board unanimously agreed to accept staff recommendation and approve the following experience:

(1) Todd M. Skaggs – Approve experience for Certified Residential

## **CERTIFICATION/LICENSURE**

Motion by Sam Blackburn, second by Paul Moore and the Board voted to approve a total of seventeen (17) individuals for certification/licensure.

- (1) David G. Beach - Associate
- (2) Pauline R. Crittenden - Associate
- (3) P. Barton Delacy – Certified General – Reciprocal with Illinois
- (4) Andrew T. Edelen - Associate
- (5) Matt W. Garner - Associate
- (6) Cheryl S. Linder – Certified General – Reciprocal with Ohio
- (7) David E. McConahy – Certified General – Reciprocal with Pennsylvania
- (8) James W. Neubacher – Associate
- (9) Diedra J. Norris – Associate
- (10) Malinda S. Pierce - Associate
- (11) Timothy V. Rogers - Associate
- (12) Alexander F. Ruden – Certified General – Reciprocal with Georgia
- (13) Todd M. Skaggs – Certified Residential
- (14) Charles D. Stamper – Associate
- (15) Christian Sean Studler - Associate
- (16) Jay P. Sudkamp – Associate
- (17) Charles A. Williams, III – Associate

B. Andrew T. Edelen – Applying for Associate license with prior convictions – Motion by Paul Moore, second by Sam Blackburn and the Board voted unanimously to approve Mr. Edelen for Associate license. The certification/licensure list will reflect the approval.

## **COMPLAINT**

- A. Case Summary Flow Chart
- B. Dennis Badger – Report on the contractor activities
- C. The Board was advised there have been a total of 33 cases filed for 2009.
- D. Larry Disney advised the Board all cases one year and over must be closed within the next 90 days if at all possible.
- E. Case Nos. – 07-40, 07-52, 08-21 – Matt Miniard  
Final Order:
  - (1) Matt E. Miniard, Certified General Real Property Appraiser Certificate No. 1031, has violated the Uniform Standards of Professional Appraisal Practice through his actions as found above. It is thus concluded that Miniard is guilty in regard to Count I, Count II, and Count III.
  - (2) Certified General Real Property Appraiser Certificate No. 1031 of Matt E. Miniard is suspended for a period of one year beginning on July 1, 2009.

(3) Prior to the reactivation of his Certificate, Miniard shall pay a fine of \$2,000 in regard to Count I as well as a fine of \$2,000 in regard to Count II. No fine is levied in regard to Count III.

(4) Prior to the reactivation of his Certificate, Miniard shall complete a course lasting at least three days that includes instruction in the sales comparison approach including contributory values and applying those values. The Board shall have given its prior approval of the course and Miniard must successfully pass a test on the course. The course shall be in addition to his regular continuing education requirement.

Mr. Blackburn made a comment that he did criticize the hearing officer for taking a long time to complete the final order but after reading the order he stated that she did an outstanding job in preparing the order.

- F. Case No. 07-59 – Stan Chase – Recommended Order of Default – The License 1748 of Stan Chase is hereby Revoked, and Chase may petition for reinstatement under KRS 324A.050(2) no sooner than two (2) years after the date of the Order of Revocation, \$500.00 fine and continuing education must be caught up before reinstating.
- G. Case No. 09-19 – Case No. 09-19 – Darrell Muncy – Motion by Sam Blackburn, second by Paul Moore and the Board unanimously agreed to dismiss with a letter of caution.
- H. Case Nos. 08-30, 08-31, 08-32, 08-33, 08-34, 08-35, 08-36, 08-37, 08-38, 08-39, 08-40 – Sam Blackburn recused himself from voting and deliberating on the cases. Motion by Herbert Pritchett, second by Loren Huff and the Board agreed to file a formal complaint and set for a hearing – See Case 6.N. (John Tackett).
- I. Case Nos. 08-54, 08-56, 08-57 – Motion by Paul Moore, second by Loren Huff and the Board unanimously agreed to file a formal complaint and set for a hearing.
- J. Case No. 08-61 – Respondent: John E. Nickerson - Motion by Sam Blackburn, second by Loren Huff and the Board unanimously agreed to dismiss the case.
- K. Case No. 07-40 – Respondent: William Ousley  
Motion by Sam Blackburn, second by Paul Moore and the Board unanimously agreed to dismiss the case.
- L. Case No. 07-52 – Respondent: Jason E. Combs  
Motion by Paul Moore, second by Loren Huff and the Board unanimously agreed to dismiss with an agreement that the following requirements be met if respondent reapplies for a Kentucky appraiser license:
  - 1. Attend the KREAB Supervisor/Associate course
  - 2. The appraiser selected by respondent for supervision must be in good standing with the Board and approved by the Board to become a supervisor;
  - 3. Respondent shall submit a log of assignments to the Board each six months for a period of no less than 2 years; and
  - 4. Respondent shall agree to grant the Board, the Board staff or a person assigned by the Board, access to work files and reports upon being served notice to do so.
- M. Matt Miniard Appeal

N. Case Nos. 08-29, 08-30, 08-31, 08-32, 08-33, 08-34, 08-35, 08-36, 08-37, 08-38, 08-39, 08-40, 09-14  
– Respondent John William Tackett

Sam Blackburn recused himself from voting and deliberating on the cases. Motion by Herbert Pritchett, second by Loren Huff and the Board agreed to accept the agreed order, whereby,

- A. Tackett hereby agrees that the Certified Residential Real Property Appraiser certificate number 106 held by Mr. Tackett is suspended for a period of two years.
- B. Six months of the suspension shall be served beginning September 1, 2009 and ending March 1, 2010. The remainder of the suspension is probated provided the following items are completed. If all terms of agreement below are not completed the suspension will remain in effect until all of the items are completed;
  - i. A fine of \$3,900 must be paid in full prior to receiving certification privileges at the end of the 6-months suspension;
  - ii. Restrict the geographic area of 1-4 unit residential appraisal practice to the Kentucky counties of Fayette, Clark, Madison, Jessamine and Scott;
  - iii. Shall have no associate real property appraisers or assume no responsibility for supervising real property appraisers for a period of 2-years from the date of the signed agreed order;
  - iv. Shall grant the Board members, Board staff, or assigns of the Board access to all appraisal, appraisal review and appraisal consulting files at such time as a request to view the files is presented.
  - v. Shall become knowledgeable of the requirements, policies, and expectations of clients and users of appraisal services that are considered added specific assignment requirements prior to accepting future appraisal assignments.

## **MISCELLANEOUS**

- A. Lynn Prichard – Filed suit against the Board. Judge declined his order but entered an order to have parties to discuss agreement. The Board agreed to set the case for a hearing.
- B. KREAB Database for Website Proposal – University of Louisville
  - (2) Information from Brian Golden on website proposal - The Board agreed to look into the proposal for website.
- C. Budget ending June 30, 2009
- D. Renewal, Inactive and Non renewal totals for fiscal year ending June 30, 2009
- E. Renewal of Christopher R. Noel – Approve renewal and submit a letter with renewal that Mr. Noel will be required to submit final documentation from Court for conviction listed on renewal form.
- F. Articles and emails on state budget
- G. Ordering Lapel Pins – The Board agreed to order 200 pins
- H. HUD-1 Fee Listing
- I. AMC Legislation – Motion by Sam Blackburn, second by Paul Moore and the Board directed Larry to proceed with legislation.
- J. Supervisor – Trainee Course, October 2, 2009 – Lexington Board of Realtors – Cost \$225.00

for room rent. We will provide the break refreshments, drop fee to \$100.00 with lunch not being provided.

- K. 2010 KREAB Seminars – Board discussion on Virginia Lawson teaching the morning sessions. Ms. Lawson will charge \$650 per class plus her expenses of travel. Offer three seminars – Bowling Green, Louisville and Lexington. – Motion by Sam Blackburn second by Paul Moore and the Board approved to have Ms. Virginia Lawson as speaker at 2010 seminars.
- L. Article from The Center for Public Integrity “Rebuked Appraisers Reborn as Real Estate Agents”
- M. The Board agreed for Larry Disney to attend the directors meeting in Frankfort on Thursday, August 27, 2009.
- N. Motion by Sam Blackburn, second by Paul Moore and the Board unanimously approved to purchase Larry Disney a blackberry through the State contract.

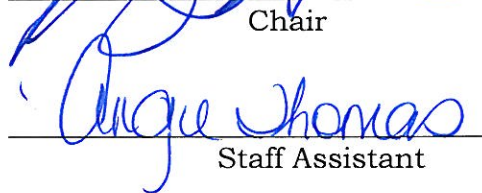
### **NEW BUSINESS**

- A. Thomas Mudd Hearing – Monday, August 31, 2009 – 1:00 p.m.
- B. September Board Meeting will be changed to September 18, 2009 at 1:00 p.m.
- C. Mark Mitchell Hearing – October 13 – 14, 2009 – 9:00 a.m.

The next Board meeting is scheduled for Friday, August 28, 2009 – 9:00 a.m. at the board office.

Motion by Sam Blackburn, second by Paul Moore and the Board voted unanimously to adjourn the meeting.

  
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Chair

  
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Staff Assistant